

**United States Bankruptcy Court  
Central District of California  
San Fernando Valley  
Judge Victoria Kaufman, Presiding  
Courtroom 301 Calendar**

**Wednesday, January 12, 2022**

**Hearing Room 301**

9:30 AM

**1: -**

**Chapter**

**#0.00 You will not be permitted to be physically present in the courtroom. All appearances for this calendar will be via Zoom and not via Court Call. All parties participating in these hearings may connect from the zoom link listed below. This service is free of charge. You may participate using a computer or telephone.**

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Docket 0

**United States Bankruptcy Court  
Central District of California  
San Fernando Valley  
Judge Victoria Kaufman, Presiding  
Courtroom 301 Calendar**

**Wednesday, January 12, 2022**

**Hearing Room 301**

9:30 AM

**CONT...**

**Chapter**

**Tentative Ruling:**

- NONE LISTED -

**United States Bankruptcy Court  
Central District of California  
San Fernando Valley  
Judge Victoria Kaufman, Presiding  
Courtroom 301 Calendar**

**Wednesday, January 12, 2022**

**Hearing Room 301**

9:30 AM

**1:21-11734 Susanna Shahinyan**

**Chapter 13**

**#1.00** Motion in Individual Case for Order Imposing a Stay or Continuing the Automatic Stay as the Court Deems Appropriate

fr. 11/10/21

Docket 12

**Tentative Ruling:**

Deny. The debtor has not complied with the Court's previous ruling; she did not timely file a declaration demonstrating that she has made her required postpetition deed of trust and chapter 13 plan payments.

The Court will prepare the order.

**November 10, 2021 Ruling**

The Court will grant the motion on an interim basis up to the date of the continued hearing. The Court will continue this hearing to **9:30 a.m. on January 12, 2022**.

No later than November 24, 2021, the debtor must serve **on all secured creditors** notice of the continued hearing date and time and the deadline to file any response 14 days prior thereto. In addition, the debtor must timely pay: (1) her deed of trust payments in the amount of \$1,050.00 (as stated in her current Schedule J) as to the real property located at 9024 Willis Avenue, #8, Panorama City, CA 91402; (2) her deed of trust payments in the amount of \$3,277.24 (as stated in her current Schedule J) as to the real property located at 6020 Duchess Drive, Whittier, CA 90606; and (3) her November and December 2021 plan payments in the amount of \$4,750.00, as stated in the debtor's proposed chapter 13 plan [doc. 2].

**No later than December 29, 2021**, the debtor must file a declaration to demonstrate that she timely made her required postpetition deed of trust and chapter 13 plan payments.

The debtor must submit an order within seven (7) days.

**United States Bankruptcy Court  
Central District of California  
San Fernando Valley  
Judge Victoria Kaufman, Presiding  
Courtroom 301 Calendar**

**Wednesday, January 12, 2022**

**Hearing Room 301**

9:30 AM

**CONT... Susanna Shahinyan**

**Chapter 13**

<b>Party Information</b>
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**Debtor(s):**

Susanna Shahinyan

Represented By  
Thomas B Ure

**Movant(s):**

Susanna Shahinyan

Represented By  
Thomas B Ure

**Trustee(s):**

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
San Fernando Valley  
Judge Victoria Kaufman, Presiding  
Courtroom 301 Calendar**

**Wednesday, January 12, 2022**

**Hearing Room 301**

9:30 AM

**1:21-11969 Mitchell S. Cohen**

**Chapter 13**

**#2.00** Motion in Individual Case for Order Imposing a Stay or Continuing the Automatic Stay as the Court Deems Appropriate

fr. 12/22/21

Docket 7

**Tentative Ruling:**

Deny. The debtor has not submitted clear and convincing evidence to rebut the presumption that he did not file his chapter 13 petition in good faith.

The Court will prepare the order.

**December 22, 2021 Ruling**

Deny.

On December 8, 2021, Mitchell S. Cohen (the "Debtor") filed a chapter 13 petition. On the same day, Debtor filed the *Notice of Motion and Motion in Individual Case for Order Imposing a Stay or Continuing the Automatic Stay as the Court Deems Appropriate* (the "Motion") [doc. 7]. Debtor subsequently filed the *Application Shortening Time re: Motion to Impose the Automatic Stay* [doc. 8], and the Court set the Motion for hearing on shortened notice [doc. 9]. At this time, Debtor has yet to file schedules and other required case commencement documents, or a chapter 13 plan, which must be filed by December 22, 2021.

Including this petition, Debtor has filed a total of nine (9) chapter 13 petitions. Debtor has demonstrated a pattern of (1) filing a chapter 13 petition; (2) failing to make plan payments; (3) dismissal; and (4) filing a new chapter 13 petition:

Case No.	Date Petition Filed	Dismissal Date	Total Payments in Plan	Reason for Dismissal
1:09-bk-24597-VK	11/2/09	9/21/10	\$66,660.00	Other Reason

**United States Bankruptcy Court  
Central District of California  
San Fernando Valley  
Judge Victoria Kaufman, Presiding  
Courtroom 301 Calendar**

**Wednesday, January 12, 2022**

**Hearing Room 301**

9:30 AM

**CONT...**

**Mitchell S. Cohen**

**Chapter 13**

1:10-bk-22001-VK	9/23/10	1/18/12	\$87,300.00	Failure to make plan payments
1:12-bk-10560-VK	1/19/12	11/14/13	\$154,284.00	Failure to make plan payments
1:13-bk-17300-MB	11/19/13	9/4/15	\$143,661.15	Other Reason
1:15-bk-13714-VK	11/10/15	1/10/18	\$109,645.00	Other Reason
1:18-bk-10314-VK	2/1/18	11/12/19	\$187,103.45	Other Reason
1:20-bk-11369-VK	8/3/20	4/9/21	\$326,439.75	Failure to make plan payments
1:21-bk-10887-VK	5/18/21	6/7/21	N/A	Failure to file information
1:21-bk-11969-VK	12/8/21	N/A	N/A	N/A

Although Debtor has filed eight (8) prior chapter 13 bankruptcy petitions in the last twelve (12) years, he has not received a discharge. During this time, Debtor's prospects of confirming a feasible plan are less and less likely as his secured debt has increased significantly.

In addition, the Court has granted six (6) previous motions for orders to impose or continue the stay related to the same real properties located at 12449 Kagel Canyon Rd. ("Residence"), 12435 Kagel Canyon Rd. ("Rental Property"), and APN 2846-019-026 ("Vacant Lot"), in Sylmar, California 91342:

<b>Case No.</b>	<b>Order Doc. No.</b>	<b>Date Entered</b>	<b>Heard on Shortened Notice?</b>
1:10-bk-22001-VK	15	10/20/10	Y
1:12-bk-10560-VK	16	2/14/12	Y
1:13-bk-17300-MB	21	12/13/13	Y

**United States Bankruptcy Court  
Central District of California  
San Fernando Valley  
Judge Victoria Kaufman, Presiding  
Courtroom 301 Calendar**

**Wednesday, January 12, 2022**

**Hearing Room 301**

9:30 AM

**CONT... Mitchell S. Cohen**

**Chapter 13**

1:15-bk-13714-VK	18	11/30/15	Y
1:18-bk-10314-VK	59	7/3/18	N
1:20-bk-11369-VK	24	8/27/20	N

According to Debtor, he filed the recent petition in good faith to save his home and was offered a loan modification, which is now in a "trial period." *Motion*, pp. 7-8. In the declaration attached to the Motion, Debtor also asserts he "secured some contracts," and that he has obtained additional sources of income sufficient to cure arrears. *Declaration of Mitchell S. Cohen* ("Cohen Decl."), pp. 18-20.

Under 11 U.S.C. § 362(c)(4)(A)(i), if the debtor has filed two (2) or more single cases pending within the previous year that were each dismissed, the automatic stay shall not go into effect upon the filing of the later case. The later case is presumptively filed not in good faith (but such presumption may be rebutted by clear and convincing evidence to the contrary) if—

. . .

(II) [A] previous case under this title in which the individual was a debtor was dismissed within [the previous year] after the debtor failed to file or amend the petition or other documents as required by this title or the court without substantial excuse (but mere inadvertence or negligence shall not be substantial excuse unless the dismissal was caused by the negligence of the debtor's attorney). . . or

(III) there has not been a substantial change in the financial or personal affairs of the debtor since the dismissal of the next most previous case under this title . . .

11 U.S.C. § 362(c)(4)(d)(II)-(III).

Here, under subsections (II) and (III), this case is presumptively not filed in good faith because Debtor's prior case was dismissed during the past year for failure to file the required schedules; with respect to this case, with the exception of Debtor's declaration, Debtor has not submitted any documentation or other supporting evidence to show any substantial change regarding Debtor's increased income since his immediately preceding prior case was dismissed.

**United States Bankruptcy Court  
Central District of California  
San Fernando Valley  
Judge Victoria Kaufman, Presiding  
Courtroom 301 Calendar**

**Wednesday, January 12, 2022**

**Hearing Room 301**

9:30 AM

**CONT...**

**Mitchell S. Cohen**

**Chapter 13**

Debtor argues that the COVID-19 pandemic presented a unique hardship on his business due to lost income from projects being delayed. Cohen Decl., ¶¶ 8-11. However, Debtor's lack of business-related income is a similar factor in each of the cases filed before the pandemic, whether because of alleged disputes with customers (2010), significant decreases in customer projects (2012), a lull in business (2015) or a dissolved partnership (2020).

Without additional evidence or documentation to support Debtor's assertions that a substantial change has occurred, there is no clear and convincing evidence to rebut the presumption that this petition was filed not in good faith. In addition to the lack of supporting documentation or evidence, Debtor has not demonstrated a substantial excuse exists as to Debtor's failure to file schedules in his immediately preceding chapter 13 case.

Debtor may elect to convert this chapter 13 case to a case under chapter 7. If that were to occur, the Court would consider granting the Motion.

Will Debtor convert this case to one under chapter 7?

<b>Party Information</b>
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**Debtor(s):**

Mitchell S. Cohen

Represented By  
Matthew D. Resnik

**Trustee(s):**

Elizabeth (SV) F Rojas (TR)

Pro Se



**United States Bankruptcy Court  
Central District of California  
San Fernando Valley  
Judge Victoria Kaufman, Presiding  
Courtroom 301 Calendar**

**Wednesday, January 12, 2022**

**Hearing Room 301**

9:30 AM

**1:21-11913 Manuela Ramos Sandoval**

**Chapter 7**

**#3.00** Motion for relief from stay [PP]

CAB WEST, LLC  
VS  
DEBTOR

Docket 9

**Tentative Ruling:**

Grant relief from stay pursuant to 11 U.S.C. § 362(d)(2).

Movant (and any successors or assigns) may proceed under applicable nonbankruptcy laws to enforce its remedies to repossess and sell the property.

The 14-day stay prescribed by FRBP 4001(a)(3) is waived.

Movant must submit order within seven (7) days.

Note: No response has been filed. Accordingly, no court appearance by movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and movant will be so notified.

<b>Party Information</b>
--------------------------

**Debtor(s):**

Manuela Ramos Sandoval

Represented By  
Lauren M Foley

**Movant(s):**

Cab West, LLC

Represented By  
Sheryl K Ith

**Trustee(s):**

Amy L Goldman (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
San Fernando Valley  
Judge Victoria Kaufman, Presiding  
Courtroom 301 Calendar**

**Wednesday, January 12, 2022**

**Hearing Room 301**

9:30 AM

**1:21-11722 Lilibeth Miel Leviste**

**Chapter 7**

**#4.00** Motion for relief from stay [PP]

TOYOTA LEASE TRUST  
VS  
DEBTOR

Docket 38

**Tentative Ruling:**

Grant relief from stay pursuant to 11 U.S.C. § 362(d)(2).

Movant (and any successors or assigns) may proceed under applicable nonbankruptcy laws to enforce its remedies to repossess and sell the property.

The 14-day stay prescribed by FRBP 4001(a)(3) is waived.

Movant must submit order within seven (7) days.

Note: No response has been filed. Accordingly, no court appearance by movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and movant will be so notified.

<b>Party Information</b>
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**Debtor(s):**

Lilibeth Miel Leviste

Represented By  
James G. Beirne

**Movant(s):**

Toyota Lease Trust

Represented By  
Austin P Nagel

**United States Bankruptcy Court  
Central District of California  
San Fernando Valley  
Judge Victoria Kaufman, Presiding  
Courtroom 301 Calendar**

**Wednesday, January 12, 2022**

**Hearing Room 301**

9:30 AM

**CONT... Lilibeth Miel Leviste**

**Chapter 7**

**Trustee(s):**

Amy L Goldman (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
San Fernando Valley  
Judge Victoria Kaufman, Presiding  
Courtroom 301 Calendar**

**Wednesday, January 12, 2022**

**Hearing Room 301**

9:30 AM

**1:21-11722 Lilibeth Miel Leviste**

**Chapter 7**

**#5.00** Motion for relief from stay [RP]

2ND CHANCE MORTGAGES INC.  
VS  
DEBTOR

Docket 31

**Tentative Ruling:**

Grant relief from stay pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2).

Movant (and any successors or assigns) may proceed under applicable nonbankruptcy law to enforce its remedies to foreclose upon and obtain possession of the property.

The 14-day stay prescribed by FRBP 4001(a)(3) is waived.

Movant must submit the order within seven (7) days.

Note: No response has been filed. Accordingly, no court appearance by movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and movant will be so notified.

<b>Party Information</b>
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**Debtor(s):**

Lilibeth Miel Leviste

Represented By  
James G. Beirne

**Trustee(s):**

Amy L Goldman (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
San Fernando Valley  
Judge Victoria Kaufman, Presiding  
Courtroom 301 Calendar**

**Wednesday, January 12, 2022**

**Hearing Room 301**

9:30 AM

**1:21-11722 Lilibeth Miel Leviste**

**Chapter 7**

**#6.00 Motion for relief from stay [RP]**

NATIONSTAR MORTGAGE LLC  
VS  
DEBTOR

Docket 35

**Tentative Ruling:**

Grant relief from stay pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2).

Movant (and any successors or assigns) may proceed under applicable nonbankruptcy law to enforce its remedies to foreclose upon and obtain possession of the property.

Upon entry of the order, for purposes of Cal. Civ. Code § 2923.5, the Debtor is a borrower as defined in Cal. Civ. Code § 2920.5(c)(2)(C).

The 14-day stay prescribed by FRBP 4001(a)(3) is waived.

Movant must submit the order within seven (7) days.

Note: No response has been filed. Accordingly, no court appearance by movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and movant will be so notified.

<b>Party Information</b>
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**Debtor(s):**

Lilibeth Miel Leviste

Represented By  
James G. Beirne

**United States Bankruptcy Court  
Central District of California  
San Fernando Valley  
Judge Victoria Kaufman, Presiding  
Courtroom 301 Calendar**

**Wednesday, January 12, 2022**

**Hearing Room 301**

9:30 AM

**CONT... Lilibeth Miel Leviste**

**Chapter 7**

**Movant(s):**

Deutsche Bank Trust Company

Represented By  
Jennifer C Wong

**Trustee(s):**

Amy L Goldman (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
San Fernando Valley  
Judge Victoria Kaufman, Presiding  
Courtroom 301 Calendar**

**Wednesday, January 12, 2022**

**Hearing Room 301**

9:30 AM

**1:20-11134 Helping Others International, LLC**

**Chapter 7**

**#7.00** Motion for relief from stay [RP]

UNITED LENDER, LLC  
VS  
DEBTOR

Docket 203

**Tentative Ruling:**

On January 19, 2021, the Court entered an order in movant's favor terminating relief from stay under 11 U.S.C. § 362(d)(1) (the "Order") [doc. 160]. Consequently, movant is entitled to proceed with its requested relief in the state court action, as described in the pending motion before this Court, without obtaining further relief from the automatic stay.

The Court will not grant annulment of the automatic stay prior to the entry of the Order.

To the extent it is applicable, the 14-day stay prescribed by FRBP 4001(a)(3) is waived.

Movant must submit the order within seven (7) days.

<b>Party Information</b>
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**Debtor(s):**

Helping Others International, LLC

Represented By  
Lillian H Khosravi

**Movant(s):**

United Lender, LLC

Represented By

**United States Bankruptcy Court  
Central District of California  
San Fernando Valley  
Judge Victoria Kaufman, Presiding  
Courtroom 301 Calendar**

**Wednesday, January 12, 2022**

**Hearing Room 301**

9:30 AM

**CONT... Helping Others International, LLC**

**Chapter 7**

Maurice Wainer  
Anita Jain

**Trustee(s):**

David Keith Gottlieb (TR)

Represented By  
Monica Y Kim



**United States Bankruptcy Court  
Central District of California  
San Fernando Valley  
Judge Victoria Kaufman, Presiding  
Courtroom 301 Calendar**

**Wednesday, January 12, 2022**

**Hearing Room 301**

9:30 AM

**1:21-11610 Dale Elliot Rodin**

**Chapter 7**

**#8.00** Motion for relief from stay [RP]

PENTAGON FEDERAL CREDIT UNION  
VS  
DEBTOR

Docket 10

**Tentative Ruling:**

Grant relief from stay pursuant to 11 U.S.C. § 362(d)(2).

Movant (and any successors or assigns) may proceed under applicable nonbankruptcy law to enforce its remedies to foreclose upon and obtain possession of the property.

Upon entry of the order, for purposes of Cal. Civ. Code § 2923.5, the Debtor is a borrower as defined in Cal. Civ. Code § 2920.5(c)(2)(C).

The 14-day stay prescribed by FRBP 4001(a)(3) is waived.

Movant must submit the order within seven (7) days.

Note: No response has been filed. Accordingly, no court appearance by movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and movant will be so notified.

<b>Party Information</b>
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**Debtor(s):**

Dale Elliot Rodin

Represented By  
Khachik Akhkashian

**United States Bankruptcy Court  
Central District of California  
San Fernando Valley  
Judge Victoria Kaufman, Presiding  
Courtroom 301 Calendar**

**Wednesday, January 12, 2022**

**Hearing Room 301**

9:30 AM

**CONT... Dale Elliot Rodin**

**Chapter 7**

**Movant(s):**

Pentagon Federal Credit Union

Represented By  
Darlene C Vigil

**Trustee(s):**

Amy L Goldman (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
San Fernando Valley  
Judge Victoria Kaufman, Presiding  
Courtroom 301 Calendar**

**Wednesday, January 12, 2022**

**Hearing Room 301**

9:30 AM

**1:18-11945 Rosa Aminta Cordova de Rodriguez**

**Chapter 13**

**#9.00** Motion for relief from stay [RP]

WILMINGTON TRUST, NATIONAL ASSOCIATION  
VS  
DEBTOR

Docket 79

**\*\*\* VACATED \*\*\* REASON: Motion is not in compliance with Local  
Bankruptcy Rule 5005-2(d)(1). Motion is OFF CALENDAR.**

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
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**Debtor(s):**

Rosa Aminta Cordova de Rodriguez

Represented By  
R Grace Rodriguez

**Movant(s):**

Wilmington Trust, National

Represented By  
Darlene C Vigil

**Trustee(s):**

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
San Fernando Valley  
Judge Victoria Kaufman, Presiding  
Courtroom 301 Calendar**

**Wednesday, January 12, 2022**

**Hearing Room 301**

1:30 PM

**1:19-12677 John Stephen Travers**

**Chapter 7**

Adv#: 1:20-01010 Ace Industrial Supply, Inc. v. Travers

**#10.00** Pre-trial conference re: complaint to determine dischargeability

fr. 3/25/20; 5/6/20; 6/10/20; 12/9/20; 2/10/21, 5/5/21; 8/4/21; 9/22/21(stip);  
10/20/21; 12/8/21

Docket 1

**\*\*\* VACATED \*\*\* REASON: Order approving stip entered 11/9/21.  
Hearing continued to 3/16/22 at 1:30 p.m. [doc 76]**

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
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**Debtor(s):**

John Stephen Travers

Represented By  
Robert M Aronson

**Defendant(s):**

John Stephen Travers

Pro Se

**Plaintiff(s):**

Ace Industrial Supply, Inc.

Represented By  
Jeffery J Daar

**Trustee(s):**

David Seror (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
San Fernando Valley  
Judge Victoria Kaufman, Presiding  
Courtroom 301 Calendar**

**Wednesday, January 12, 2022**

**Hearing Room 301**

1:30 PM

**1:20-11680 Edward Christopher Pehlevanian**

**Chapter 7**

Adv#: 1:21-01070 Pehlevanian v. United States Department Of Education et al

**#11.00** Status conference re: complaint to determind dischargeability  
of and discharge student loan debt

Docket 1

**Tentative Ruling:**

It appears that the plaintiff has not properly served the summons on the defendants. The plaintiff has not filed a signed proof of service. In addition, the United States Department of Education and Midland Funding LLC ("Defendants") have not responded to the complaint.

The plaintiff must request Another Summons from the Court. The plaintiff can obtain Another Summons by filing form F 7001-1.2.REQUEST.ANOTHER.SUMMONS, located on the Court's website. Upon receiving the filing of the Request that the Clerk Issue Another Summons and Notice of Status Conference, the Clerk will issue Another Summons.

The Another Summons **must be served upon Defendants within 7 days of its issuance by the Court**, pursuant to Fed. R. Bankr. P. 7004 and Local Bankr. R. 7004-1(b). The plaintiff must attach to the Another Summons a copy of the complaint and a copy of Judge Kaufman's Status Conference Instructions.

To demonstrate proper service of the Another Summons and the complaint and instructions to be served with that summons, the plaintiff must file a **signed** proof of service indicating that the Another Summons and the documents to be served with that summons were timely served on Defendants. If the plaintiff can obtain an issued Another Summons from the Court by **January 19, 2022**, the status conference will be continued to **1:30 p.m. on March 9, 2022**.

No later than **February 23, 2022**, the parties must submit a joint status report in accordance with Local Bankruptcy Rule 7016-1(a).

**United States Bankruptcy Court  
Central District of California  
San Fernando Valley  
Judge Victoria Kaufman, Presiding  
Courtroom 301 Calendar**

**Wednesday, January 12, 2022**

**Hearing Room 301**

1:30 PM

**CONT... Edward Christopher Pehlevanian**

**Chapter 7**

<b>Party Information</b>
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**Debtor(s):**

Edward Christopher Pehlevanian	Pro Se
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**Defendant(s):**

United States Department Of	Pro Se
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Midland Funding LLC	Pro Se
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**Plaintiff(s):**

Edward Christopher Pehlevanian	Represented By Zaven A Pehlevanian
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**Trustee(s):**

Nancy J Zamora (TR)	Pro Se
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**United States Bankruptcy Court  
Central District of California  
San Fernando Valley  
Judge Victoria Kaufman, Presiding  
Courtroom 301 Calendar**

**Wednesday, January 12, 2022**

**Hearing Room 301**

1:30 PM

**1:20-10276 Hormoz Ramy**

**Chapter 7**

Adv#: 1:20-01077 Seror v. Ramy

**#12.00** Pretrial conference re: complaint to deny debtor's discharge  
11 U.S.C. § 727(a)(2), 11 U.S.C. § 727(a)(3), 11 U.S.C. § 727(a)((4)A)  
and 11 U.S.C. § 727(a)(5)

fr. 11/4/20, 5/5/21, 8/4/21, 10/13/21

Docket 1

**\*\*\* VACATED \*\*\* REASON: Hearing continued to 3/9/22 at 1:30 PM per  
ruling on 10/6/21.**

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
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**Debtor(s):**

Hormoz Ramy

Represented By  
Siamak E Nehoray

**Defendant(s):**

Hormoz Ramy

Pro Se

**Plaintiff(s):**

David Seror

Represented By  
Tamar Terzian

**Trustee(s):**

David Seror (TR)

Represented By  
Steven T Gubner  
Jessica L Bagdanov

**United States Bankruptcy Court  
Central District of California  
San Fernando Valley  
Judge Victoria Kaufman, Presiding  
Courtroom 301 Calendar**

**Wednesday, January 12, 2022**

**Hearing Room 301**

1:30 PM

**1:21-11098 John Carmen Esposito**

**Chapter 7**

Adv#: 1:21-01071 Louis v. Esposito

**#13.00** Status conference re: complaint for determination of  
nondischargeability of debt under 11 U.S.C. §§523(a)(2),  
(a)(3),(a)(3),(a)(4),(a)(6) and 11 U.S.C. §727(a)(4)

Docket 1

**Tentative Ruling:**

Unless an appearance is made at the status conference, the status conference is continued to **1:30 p.m. on March 2, 2022.**

If the plaintiff will be pursuing a default judgment pursuant to Local Bankruptcy Rule 7055-1(b), the plaintiff must serve a motion for default judgment (if such service is required pursuant to Fed. R. Bankr. P. 7055, Fed. R. Civ. P. 55(b)(2) and/or Local Bankruptcy Rule 7055-1(b)(1)(D)) and must file that motion by **February 2, 2022.**

If the plaintiff will be seeking to recover attorneys' fees, the plaintiff must demonstrate that the award of attorneys' fees complies with Local Bankruptcy Rule 7055-1(b)(4).

The plaintiff's appearance on January 12, 2022 is excused.

<b>Party Information</b>
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**Debtor(s):**

John Carmen Esposito	Pro Se
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**Defendant(s):**

John Carmen Esposito	Pro Se
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**Plaintiff(s):**

April Louis	Represented By Amir Gamliel
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**United States Bankruptcy Court  
Central District of California  
San Fernando Valley  
Judge Victoria Kaufman, Presiding  
Courtroom 301 Calendar**

**Wednesday, January 12, 2022**

**Hearing Room 301**

1:30 PM

**CONT... John Carmen Esposito**

**Chapter 7**

**Trustee(s):**

Amy L Goldman (TR)

Represented By  
Anthony A. Friedman

**United States Bankruptcy Court  
Central District of California  
San Fernando Valley  
Judge Victoria Kaufman, Presiding  
Courtroom 301 Calendar**

**Wednesday, January 12, 2022**

**Hearing Room 301**

1:30 PM

**1:20-11952 Michael A Di Bacco**

**Chapter 7**

Adv#: 1:21-01010 Kline v. Di Bacco

**#14.00** Pretrial conference re: complaint to determine dischargeability of debt pursuant to 11 U.S.C. Sections 523(a)(2)(A), (4) and (6), and to deny the discharge pursuant to 11 U.S.C. 727(a),(2),(3), (4) and (5)

fr. 3/24/21; 4/21/21, 6/2/21

Docket 1

**\*\*\* VACATED \*\*\* REASON: Order approving stip entered 10/8/21.  
Hearing continued to 3/23/22 at 1:30 PM. [doc 47]**

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
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**Debtor(s):**

Michael A Di Bacco

Represented By  
Leon Nazaretian

**Defendant(s):**

Michael A Di Bacco

Represented By  
Laleh Ensafi

**Plaintiff(s):**

Michael Kline

Represented By  
David Brian Lally

**Trustee(s):**

Amy L Goldman (TR)

Pro Se